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| T : Peter Knops | From: Frank I Choi |
| Application/Control Number: 10/017,687 | Art Unit: 1616 |
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| Re: proposed amendments for atty docket no. 396421 | CC: |

Urgent **For Review** **For Comment** **For Reply** **Per Your Request**

Comments:

Attached are proposed amendments to move the case forward - please contact me so we can discuss.

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Number of pages 6 including this page

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PROPOSED AMENDMENTS

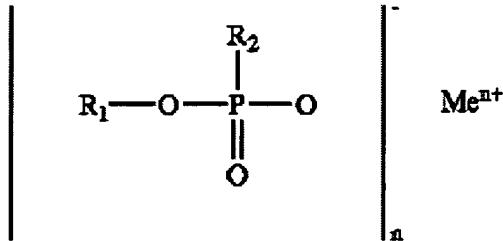
In attempt to move the case forward the following is a list of proposed ~~spec.~~ amendments to the claims. The amendments while of a clarification and grammatical nature (except for the limitations relative to prevention, the insert of the Merck Index, the KOH containing solutions and resultant reaction products) are extensive such that an Examiner's Amendment is not feasible. Further, due to the extensive nature of said amendments, I may have missed a few, however, all claims whether addressed below or not should be amended to be consistent with the amendments below.

In summary, the prevention limitations present a 112 1st paragraph issue as there is no showing that prevention is enabled – the disclosed examples and declaration show treatment not prevention, the Merck Index insert constitutes new matter and is unnecessary as reference the periodic table of elements was sufficient basis to add the list of elements. With respect to the claims containing KOH, the Specification disclose specific reactions which occur when the H₃PO₃ or monopotassium phosphate phosphate are added, i.e. an equilibrium reaction to form potassium phosphonate and dipotassium phosphoate – as such, in those claims the same should be indicated and in the dependent claims dipotassium phosphate should be used not potassium phosphate. The rest of the amendments deal with clarifying the claim language and grammatical errors.

Specification, line 11 of paragraph [0027]: delete "as set forth in the overleaf of the Merck Index (11th ed. 1989)".

Claim 1, lines 1, 2: delete "preventing and".

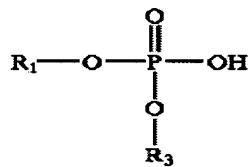
Claim 1, line 6, Claim 18, line 7: delete the formula and insert formula below in place thereof:



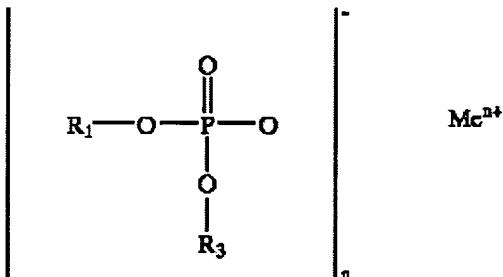
Claim 1, line 8, Claim 18, line 8: delete "(NH₃)₂HPO₄,(NH₃)₃PO₄" and insert in place thereof:

-- (NH₃)₂HPO₄,(NH₃)₃PO₄ --.

Claim 1, line 9, Claim 18, line 10: delete the formula and insert the formula below in place thereof:



Claim 1, line 11, Claim 18, line 12: delete the formula and insert the formula below in place thereof:



Claim 2, line 3, Claim 19, line 3, Claim 20, line 3, Claim 38, line 3, Claim 43, line 3, Claim 48, line 3: delete "Al" and insert in place thereof:

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-- metal --.

Claim 6, line 2, Claim 23, lines 1,2: delete "as an aqueous solution containing" and insert in place thereof:

-- in --.

Claim 6, lines 2,3, Claim 23, line 2: delete "of metal chelate".

Claim 11, line 2, Claim 11, line 3, Claim 12, line 3, claim 14, line 2, Claim 14, line 3, Claim 18, line 8: delete "salt".

Claim 11, line 3: delete " K_2HPO_3 " and insert in place thereof:

-- K_2HPO_3 --.

Claim 11, line 3, claim 28, line 2: delete " $(NH_3)H_2PO_3$ " and insert in place thereof:

-- $(NH_3)H_2PO_3$ --.

Claim 11, line 4: delete " $(NH_3)_2HPO_4$, $(NH_3)H_2PO_4$, and $(NH)_3PO_4$ " and insert in place thereof:

-- $(NH_3)_2HPO_4$, $(NH_3)H_2PO_4$, and $(NH)_3PO_4$ --

Claim 15, line 2, Claim 16, line 2, Claim 32, line 2, Claim 33, line 2: delete "or prevents".

Claim 18, line 4: after "phosphate" but before ", and" delete "salt".

Claim 18, line 6: delete "has".

Claim 28, line 1: delete "first" and insert in place thereof:

-- phosphonate --.

Claim 29, line 3: delete "second salt" and insert in place thereof:

-- phosphate --.

Claim 28, line 4: delete “K₃P0₄, and (NH₃)H₂P0₄” and insert in place thereof:

-- K₃PO₄, and (NH₃)H₂PO₄ --.

Claim 29, line 2, Claim 20, line 2: delete “first and second salt” and insert in place thereof:

-- phosphonate salt and phosphate --.

Claim 35, line 3: after “solution” but before “comprising” insert the following:

-- composition --.

Claim 35, line 4, Claim 40, line 5, Claim 45, line 4, Claim 50, line 5: delete “a.” and insert in place thereof:

-- (a) --.

Claim 35, line 4, Claim 40, line 5, Claim 45, line 4, Claim 50, line 5: after “KOH,” insert the following:

- wherein the H₃PO₄ and KOH react in an equilibrium reaction to form potassium phosphonate --.

Claim 35, line 5, Claim 40, line 6, Claim 45, line 5, Claim 50, line 6: delete “b.” and insert in place thereof:

-- (b) --.

Claim 35, line 5, Claim 40, line 6, Claim 45, line 5: after “KOH,” but before “and” insert the following:

- wherein the monopotassium phosphate and KOH react in an equilibrium reaction to form dipotassium phosphate --.

Claim 35, line 6, Claim 40, line 7, Claim 45, line 6, Claim 50, line 7: delete "c."

and insert in place thereof:

-- (c) --.

Claim 36, line 2, Claim 37, line 2, Claim 41, line 2, Claim 42, line 2, Claim 46, lines 2, Claim 47, line 2, Claim 51, line 2, Claim 52, line 2: delete "potassium" and insert in place thereof:

-- dipotassium --.

Claim 36, line 4, Claim 41, line 4, Claim 46, line 4: insert a period mark after "millimolar".

Claim 38, line 2, Claim 38, line 3, Claim 43, line 2, Claim 43, line 3, Claim 48, line 2 (both instances), Claim 53, line 2, Claim 53, line 3: delete "aqueous solution" and insert in place thereof:

-- composition --.

Claim 40, line 3, Claim 50, line 3: after "solution" but before "prepared" insert the following:

-- composition --.